

Notice of Intent to Remove Child and Proof of Notice, Objection to Removal, and Order After Hearing

This notice must be served with a blank copy of form JV-321, Request for Prospective Adoptive Parent Designation, Notice, and Order.

Clerk stamps date here when form is filed.

1 To:

- a. Court: _____
- b. Designated prospective adoptive parent or caregiver who may fit the definition of prospective adoptive parent (*name*):

- c. Child's attorney (*name*): _____
- d. Child, if 10 years of age or older (*name*): _____

Fill in court name and street address:

Superior Court of California, County of

Fill in child's name and date of birth:

Child's Name:

Date of Birth:

Clerk fills in case number when form is filed.

Case Number:

2 Name of agency proposing move: _____

Address: _____

Phone number: _____

This agency is asking for a court order to remove (*name of child*):

from his or her current home because (*explain*): _____

If more space is needed, attach a sheet of paper and write "JV-323, Item 2—Reasons for Removal" at the top.

Number of pages attached: _____

- 3 If you do not agree with the removal, you may request a court hearing.** *To do this you must fill out pages 3 and 4 of this form, **Objection to Removal**, and file it with the court within five court days or seven calendar days, whichever is longer, from the date you received this notice. If the court has not designated you as a prospective adoptive parent, you must complete form JV-321, Request for Prospective Adoptive Parent Designation, Notice, and Order, and file it with this form.*

I declare under penalty of perjury under the laws of the State of California that the information in items 1 and 2 is true and correct, which means if I lie on this form, I am committing a crime.

Date: _____

Type or print your name

Sign your name

Child's name: _____

PROOF OF NOTICE**4** *Notice of Intent to Remove Child* was mailed on (date): _____

By placing copies in a sealed envelope and depositing the envelope ☐ directly in the U.S. mail with postage paid or ☐ at my place of business for same-day collection and mailing with the U.S. mail, following our ordinary business practices, with which I am readily familiar.

a. Place of deposit (*city and state*): _____

b. Addressed as follows:

(1) Court: _____

(2) Caregiver: _____

_____ or ☐ confidential address in court file

(3) Child's attorney: _____

(4) Child, if 10 years of age or older: _____

_____ or ☐ confidential address in court file

(5) Child's identified Indian tribe, if any: _____


(6) Child's Indian custodian, if any: _____

(7) Child's Court Appointed Special Advocate (CASA) program, if any: _____

5 At the time of the notice I was at least 18 years of age and not a party to this matter. I live or am employed in the county where the mailing occurred. My residence or business address is (*specify*):

I declare under penalty of perjury under the laws of the State of California that the information in items 4 and 5 is true and correct, which means if I lie on this form, I am committing a crime.

Date: _____

Type or print your name _____
Sign your name

Child's name: _____

Case Number: _____

OBJECTION TO REMOVAL

If you do not agree with the removal, you can request a court hearing by filling out this form. Bring this form to the clerk of the court. If you want to keep an address or phone number confidential, fill out form JV-322, Confidential Information—Prospective Adoptive Parent, and do not write the address or phone number on this form.

If you are a caregiver or the child, the clerk of the court will set a hearing date and let you know what it is.

If you are the child's attorney, you must provide notice of the hearing.

Clerk stamps date here when form is filed.

Fill in court name and street address:

Superior Court of California, County of _____

⑥ Information about the person or persons objecting to the removal:

a. Name: _____

b. Name: _____

c. Phone number: _____

d. Address: _____

⑦ If you (the person objecting to the removal) are not the caregiver, fill out below.

a. My name: _____

b. I am the ☐ child ☐ child's attorney ☐ other (specify role): _____

c. My phone number: _____

d. My address: _____

⑧ If you are not the child's attorney and you know who the child's attorney is, fill out below.

a. Name of child's attorney: _____

b. Phone number of child's attorney: _____

c. Address of child's attorney: _____

⑨ ☐ The child is 10 years of age or older. Child's phone number: _____

⑩ ☐ The child has an identified Indian tribe (specify tribe): _____

Phone number of tribe: _____

⑪ ☐ The child has a Court Appointed Special Advocate (CASA) volunteer.

Phone number of CASA program, if known: _____

⑫ ☐ The caregiver has been designated by the judge as the child's prospective adoptive parent or parents.



Child's name: _____

- 13** ☐ The caregiver may meet the definition of prospective adoptive parent or parents. A form JV-321, *Request for Prospective Adoptive Parent Designation, Notice, and Order*, will be filed with this objection and request for hearing.
- 14** The social worker should not remove the child from the caregiver's home because (*give reasons*):

If you need more space, attach a sheet of paper and write “JV-323, Item 14—Reasons to Not Remove Child” at the top. Number of pages attached: _____

I declare under penalty of perjury under the laws of the State of California that the information on this form is true and correct, which means if I lie on this form, I am committing a crime.

Date: _____

Type or print your name

Sign your name

What if I am deaf or hard of hearing?



Requests for Accommodations

Assistive listening systems, computer-assisted real-time captioning, or sign language interpreter services are available if you ask at least five days before the proceeding. Contact the clerk's office or go to www.courtinfo.ca.gov/forms for a *Request for Accommodations by Persons With Disabilities and Response* (form MC-410). (Civil Code, § 54.8.)



Case Number:

Child's name: _____

Clerk stamps date here when form is filed.

15 This hearing on the child's removal from the home of the prospective adoptive parent or parents took place on (date): _____

16 The child's prospective adoptive parent or parents are:
(name): _____

(name): _____

The court finds and orders:

Fill in court name and street address:

Superior Court of California, County of

17 ☐ Notice was given as required by law.

18 ☐ The intended removal is not in the best interest of the child.
The child will remain in the home of the prospective adoptive parents.

19 ☐ The intended removal is in the best interest of the child. The child is ordered removed from the home of the prospective adoptive parent or parents, and the designation as prospective adoptive parents is terminated. The agency may place the child with (name): _____

20 ☐ Other orders (specify): _____

Date: _____

►

Judge (or Judicial Officer)